

Britain: Acting on Covid-19 - A set of actions and demands to campaign

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With cases of the pandemic rising rapidly, we cannot rely on government or business to put health before profits. rs21 members have produced a set of actions and demands to campaign around and a summary of the safety legislation can allow workers to take action or leave work.

The points below are set out as a model motion which could be used at a union meeting but can be adapted for other campaigning. At workplace level one question that keeps coming up, particularly since workers in Hong Kong and Italy went on strike for action over coronavirus, is whether British workers can lawfully strike over the issue. The answer is yes, as long as your demands relate to your employer they are likely to be a lawful 'trade dispute'. However, in most cases, you shouldn't need to strike, but can take action under Health and Safety law without a ballot or giving your employer the right to dock your pay.

Section 7 of the Health and Safety At Work Act 1974 (HSAWA 1974) places a duty on every employee while at work:

a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work

Section 44 of the Employment Rights Act 1996 (ERA 1996) protects the employee (with no qualifying service period) from any 'detriment':

d) in circumstances of danger which the employee reasonably believed to be serious and imminent and which he could not reasonably have been expected to avert, he left (or proposed to leave) or (while the danger persisted) refused to return to his place of work or any dangerous part of his place of work, or

e) in circumstances of danger which the employee reasonably believed to be serious and imminent, he took (or proposed to take) appropriate steps to protect himself or other persons from the danger.

The Labour Research Department explains:

"As long as the employee forms a genuine view of a risk that they reasonably regard as serious and imminent, the fact that the employer disagrees with the seriousness of the risk or the appropriateness of the steps taken is irrelevant."

The model motion follows. A PDF version is available for download here [\[1\]](#).

Model motion on Coronavirus COVID-19

This (branch/region/committee/trades council/union/conference) notes that:

1. The World Health Organisation (WHO) has declared the coronavirus (COVID-19) outbreak a pandemic. Their latest information is available at [who.int/COVID-19](https://www.who.int/COVID-19).
2. That the WHO says that those most at risk of severe illness are 'older people; and those with underlying medical conditions'. Underlying medical conditions affect the poorest in society disproportionately
3. Health and social care services are already stretched due to years of austerity
4. In the UK, COVID-19 is being locally transmitted within the population, with the number of cases rising exponentially
5. The outbreak has prompted racist incidents, including violence
6. Government 'hostile environment' policies deter some people who can't afford to pay for treatment, who fear immigration enforcement or can't easily prove their immigration status from seeking prompt medical attention
7. People can spread the virus before they are aware of any symptoms
8. Once the virus is spreading, the real number of infected people is much higher than the number of confirmed cases
9. WHO advises people to 'Stay at home if you begin to feel unwell, even with mild symptoms such as headache and slight runny nose, until you recover'
10. That the key measures to reduce transmission are hygiene and the reduction of contact, including social distancing
11. Not everyone can implement social distancing, for example those receiving medical and social care, homeless people or those in overcrowded accommodation
- 12 'Lock down' methods have proved effective in dramatically reducing transmission rates
13. Richard Horton, editor in chief of *The Lancet*, said '*The UK government—Matt Hancock and Boris Johnson—claim they are following the science. But that is not true. The evidence is clear. We need urgent implementation of social distancing and closure policies. The government is playing roulette with the public' and 'I am not being alarmist. What is happening in Italy is real and taking place now. Our government is not preparing us for that reality. We need immediate and assertive social distancing and closure policies. We need to prepare the NHS.'* and '*The UK is on the edge of an avoidable calamity'*
14. Workers in Hong Kong and Italy have already struck to demand more action on COVID-19
15. The outbreak is already having a significant economic impact

This (branch/region/committee/trades council/union/conference) believes that:

1. The fact that people are still living in tower blocks with flammable cladding proves that we cannot

rely on government or business to put public safety ahead of profits. The present state of the NHS shows that the government can't be trusted with our health.

2. There is a risk of governments and employers failing to act as decisively as scientific experts recommend, and of experts themselves holding back from making recommendations that threaten business or government finances or policies for fear they will not be listened to
3. Epidemics are becoming increasingly likely as climate change and the geographical distribution of organisms changes
4. Slowing the spread of the outbreak, so that at any one time there are fewer workers in essential services off work, and fewer people needing critical healthcare, is essential to reducing the number of deaths
5. Older, sick and disabled people are valuable members of our families and communities who must not be sacrificed as 'unproductive'
6. Social isolation is also a killer for vulnerable groups and this must be addressed alongside social distancing
7. Those outside the most vulnerable groups can save lives by slowing transmission
8. Many workers feel under pressure not to self-isolate because of inadequate sick pay, punitive sickness absence policies, or workload pressure on colleagues
9. Increased workloads can lead to errors and jeopardise safety
10. Working class people should not bear the brunt of the economic impact. Protecting income for working class people, who spend all we get, will counteract the economic impact far better than subsidies for big business and the rich

This (branch/region/committee/trades council/union/conference) resolves:

1. To show solidarity with infected people and oppose all stigma
2. To oppose any racist responses to the virus
3. To raise awareness of workers' rights (with no qualifying service period) under section 7 of the Health and Safety At Work Act 1974 [\[2\]](#) and section 44 of the Employment Rights Act 1996 [\[3\]](#) to take action to protect themselves or others from serious or imminent danger, to leave their place of work or any dangerous part of it if they are unable to avert such danger, and to suffer no detriment (including loss of pay) for doing so
4. To oppose any attempt by employers to take advantage of the crisis at the expense of safety, workload, or pay and conditions
5. To oppose any attempt by the state to use the present crisis to increase state violence through state surveillance, unjustifiably curbing civil liberties or attacks on migrants
6. Put in place ways of organising that minimise the risk of infection and cancel or postpone events where appropriate
7. Encourage and support efforts to safely provide local community support, particularly for the most vulnerable people and those with least resources

8. To campaign to demand that employers, national, devolved and local government:

Work

- a) Close all non-essential businesses and functions
- b) Promptly and without bureaucratic barriers provide full average pay for everyone off work as a result of the pandemic, irrespective of employment status, illness, diagnosis, self-isolation, quarantine, closure, lay-offs, reduction in hours, job losses or other reasons
- c) Scrap punitive absence management policies – nobody should be disciplined or lose their job as a result of the pandemic
- d) Allow everyone who can to work from home and provide suitable equipment and services
- e) End hot-desking
- f) Where possible, allow workers to vary working hours to reduce risk of infection on congested public transport
- g) Increase cleaning in all workplaces and public spaces, particularly of common touch-points such as doors. Bring all outsourced cleaning staff in house
- h) Redirect labour, offering training and work to rapidly expand essential services, cover for sickness absence and address increased workloads

Health and hygiene

- a) Institute extensive testing, prioritising those whose jobs entail the most potential to spread infection to the most vulnerable
- b) End the hostile environment policies and NHS charging to ensure everyone gets care who needs it and free up staff for healthcare rather than bureaucracy
- c) Provide tissues, hands-free bins and hand-cleaning materials, drinking water, clean toilets and hand-washing facilities in all workplaces and public spaces that remain open
- d) Minimise the handling of cash, for example by increasing the limit on contactless transactions
- e) Requisition private medical facilities and other resources needed to provide essential services
- f) Make fully-featured online services including audio and video conferencing and entertainment freely available to all to counteract social isolation
- g) Abolish all long term NHS Trust debt so providers are not constrained in providing services and provide all the extra funds Trusts decide they need
- h) Raise pay for all NHS and social care staff to better than real terms 2010 pay – encouraging former staff to come back on a permanent basis
- i) Ensure adequate protection for all NHS and social care staff – whether directly employed or outsourced
- j) Increase NHS clinical resources in the community

Housing

- a) Offer all rough sleepers decent accommodation immediately, using empty property, second homes and temporarily in hotels if necessary
- b) Ban evictions, home repossessions or cutting off of utilities
- c) Address particular risks for confined populations by improving prison conditions and releasing as many people as possible
- d) Close all immigration detention centres and giving citizenship to all residents so that everyone can access services to keep the whole population safe

Economic factors

- a) Ensure collectively provision of essential goods, including cleaning and hygiene materials
- b) Ban profit making on needed resources – from face masks to ventilators – and institute price controls
- d) Expand production of essential supplies irrespective of patents
Increase pensions and state benefits, remove bureaucratic requirements and end sanctions so that vulnerable people can live safely
- e) Provide alternatives for children who would receive free school meals in the event that they cannot attend school

rs21 members - 13 March 2020

P.S.

<https://www.rs21.org.uk/2020/03/13/acting-on-covid-19/>

Footnotes

- [1] <https://www.rs21.org.uk/wp-content/uploads/2020/03/Model-motion-on-coronavirus.pdf>
- [2] <https://www.legislation.gov.uk/ukpga/1974/37>
- [3] <https://www.legislation.gov.uk/ukpga/1996/18>